



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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Chief Executive Officer

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April 3, 2008

To: Supervisor Yvonne B. Burke, Chair  
Supervisor Gloria Molina  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", written over a horizontal line.

## **SKILLED NURSING AND CONVALESCENT HOMES GRADING SYSTEM**

On November 20, 2007, your Board approved a motion by Supervisor Antonovich directing this Office to work with the Department of Public Health (DPH) to research the viability of inspecting and posting grades at skilled nursing homes and convalescent homes and report back to the Board in 60 days.

On January 22, 2008, we provided a report on the status of our research, which included a finding by County Counsel that the County does not have the authority to impose a mandatory grading system for these facilities. Given this finding, this Office and DPH committed to exploring other options for improving consumer information about skilled nursing and convalescent homes, which may accomplish the same purpose as establishing a letter grading system.

This is an update on our actions in this area since the last report.

### **History and Legal Issues**

As indicated in our earlier report, County Counsel has concluded that State and federal laws already comprehensively regulate clinics, nursing homes, and other health facilities. Specifically, the California Legislature has vested the authority to inspect and regulate these facilities solely with the California Department of Public Health (CDPH). CDPH has contracted with the County to provide inspection and ancillary services. However, CDPH has retained all regulatory enforcement authority and has not

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delegated its statutory duties to the County. Rather, the County's involvement in the regulation of these facilities is as an agent of the State, and the Legislature has vested no independent inspection or enforcement authority over these facilities with the County.

### **Web Posting of Inspection Results**

After further review of the issue, including consultation with members of the Los Angeles County Commission on Aging, we have identified the following alternative method for improving consumer information on skilled nursing and convalescent homes.

DPH is assessing the technical and resource requirements of posting results of standard survey inspections of nursing facilities on its website. These reports describe deficiencies and violations of State and federal requirements found during inspections. A hardcopy of this information is already available to the public at DPH's Health Facilities Inspection Division office in the City of Commerce; however, website posting of this information would make it significantly easier for individuals to access.

In addition, DPH will notify CDPH of its intent to post inspection results online to ensure it has no objections. CDPH has indicated that it intends to post some form of consumer information on skilled nursing facilities on its website. However, it is currently unclear when that information will be posted and what it will include.

The CEO and DPH will notify your Board of our efforts to post inspection results online by June 6, 2008.

If you have any questions or need additional information, please contact me or your staff may contact Tami Omoto-Frias of this Office at (213) 893-9741, or [tomoto-frias@ceo.lacounty.gov](mailto:tomoto-frias@ceo.lacounty.gov).

WTF:SRH:SAS  
MLM:TOF:bjs

c: Executive Officer, Board of Supervisors  
County Counsel  
Director and Health Officer, Department of Public Health